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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,293	01/09/2001	Dale R. Setlak	51530	6803

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EXAMINER	
SONG, HOSUK	

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/757,293	SETLAK, DALE R.	
	Examiner	Art Unit	
	Hosuk Song	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 January 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tello(US 6,463,537) in view of Heinrich et al.(US 6,199,167).

Claims 1,5-6: Tello disclose a computer comprising at least one memory in (fig.1). Tello discloses BIOS and operating system instructions stored in at least one memory in (fig.1 and col.6,lines 24-26,35-36). Tello discloses a processor connected to at least one memory and which upon starting first operates based upon BIOS instructions and operates based upon OS instructions in (fig.1 and col.31,lines 53-67;col.32,lines 1-3). Tello disclose a timer for shutting down processor a predetermined time after being started unless a deactivation code is received in (col.7,lines 58-62;col.14,lines 18-32). Tello does not specifically disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user. Heinrich disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user in (fig.1,#120,110 and col.3,lines 41-46;col.4,lines 3-19). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor disclosed in Heinrich system with authentication system taught in Tello because biometric has an advantage of being unique to an individual person,requiring no memorization, and relatively

difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system rely on physical characteristics that are unique to each individual and thus cannot readily be stolen,copied or otherwise faked.

Claim 2: Tello disclose enabling device which activation prevents timer from shutting down processor in (col.7,lines 58-62).

Claim 3: Tello does not specifically disclose enabling device comprises at least one of a write-once memory. Official notice is taken that write once memory is well known in the art. One of ordinary skill in the art would have been motivated to use write once memory because the memory have a significantly longer shelf life than magnetic media and thus are used when data must be preserved for a long time. Further, data recorded in the memory cannot be easily altered or modified thus preserving original data without tampering.

Claim 4: Tello disclose OS instructions cause processor to activate enabling circuit responsive to a command from a user in (col.7,lines 58-62).

Claims 7,8: Official notice is taken that BIOS instructions cause processor to check and verify that the biometric security sensor is installed and operational is well known in the art. One of ordinary skill in the art would have been motivated to use BIOS in order to check all the functionality of its components are operational before launching the system.

Claim 9: Tello does not specifically disclose biometric sensor security sensor comprises a fingerprint sensor. Heinrich's patent discloses biometric sensor security sensor comprises a fingerprint sensor in (fig.1#120). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor such as fingerprint disclosed in Heinrich system with authentication system taught in Tello because fingerprint scheme has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate

its users. Further,biometric identification system such as fingerprint rely on physical characteristics that are unique to each individual and thus can not readily be stolen,copied or otherwise faked.

Claim 10: Tello disclose one memory comprises a ROM memory for storing BIOS instructions and a magnetic disk for storing OS instructions in (col.14,lines 1-5;col.31,lines 65-67;col.32,lines 1-3).

Claims 11,14-15: Tello discloses ROM having BIOS in (col.14,lines 1-5). Tello disclose a magnetic disk having OS instructions in (col.6,lines 28-31;col.31,lines 65-67;col.32,lines 1-3). Tello disclose a processor connected to ROM and magnetic disk and which upon starting first operates based upon BIOS instructions and thereafter operates based upon OS instructions in (fig.1 and col.31,lines 55067;col.32,lines 1-3). Tello does not specifically disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user. Heinrich disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user in (fig.1,#120,110 and col.3,lines 41-46;col.4,lines 3-19). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor disclosed in Heinrich system with authentication system taught in Tello because biometric has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system rely on physical characteristics that are unique to each individual and thus cannot readily be stolen,copied or otherwise faked.

Claim 12: Tello does not specifically disclose enabling device comprises at least one of a write-once memory. Official notice is taken that write once memory is well known in the art. One

of ordinary skill in the art would have been motivated to use write once memory because the memory have a significantly longer shelf life than magnetic media and thus are used when data must be preserved for a long time. Further, data recorded in the memory cannot be easily altered or modified thus preserving original data without tampering.

Claim 13: Tello disclose OS instructions cause processor to activate enabling circuit responsive to a command from a user in (col.7,lines 58-62).

Claims 16-17: Official notice is taken that BIOS instructions cause processor to check and verify that the biometric security sensor is installed and operational is well known in the art. One of ordinary skill in the art would have been motivated to use BIOS in order to check all the functionality of its components are operational before launching the system.

Claim 18: Tello does not specifically disclose biometric sensor security sensor comprises a fingerprint sensor. Heinrich's patent discloses biometric sensor security sensor comprises a fingerprint sensor in (fig.1#120). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor such as fingerprint disclosed in Heinrich system with authentication system taught in Tello because fingerprint scheme has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system such as fingerprint rely on physical characteristics that are unique to each individual and thus can not readily be stolen,copied or otherwise faked.

Claim 19,23-24: Tello disclose a computer comprising at least one memory in (fig.1). Tello discloses BIOS and operating system instructions stored in at least one memory in (fig.1 and col.6,lines 24-26,35-36). Tello discloses a processor connected to at least one memory and which upon starting first operates based upon BIOS instructions and operates based upon OS

instructions in (fig.1 and col.31,lines 53-67;col.32,lines 1-3). Tello disclose a timer for shutting down processor a predetermined time after being started unless a deactivation code is received in (col.7,lines 58-62;col.14,lines 18-32). Tello does not specifically disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user. Heinrich disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user in (fig.1,#120,110 and col.3,lines 41-46;col.4,lines 3-19). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor disclosed in Heinrich system with authentication system taught in Tello because biometric has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system rely on physical characteristics that are unique to each individual and thus cannot readily be stolen,copied or otherwise faked.

Claim 20: Tello disclose enabling device which activation prevents timer from shutting down processor in (col.7,lines 58-62).

Claim 21: Tello does not specifically disclose enabling device comprises at least one of a write-once memory. Official notice is taken that write once memory is well known in the art. One of ordinary skill in the art would have been motivated to use write once memory because the memory have a significantly longer shelf life than magnetic media and thus are used when data must be preserved for a long time. Further, data recorded in the memory cannot be easily altered or modified thus preserving original data without tampering.

Claim 22: Tello disclose OS instructions cause processor to activate enabling circuit responsive to a command from a user in (col.7,lines 58-62).

Claims 25,26: Official notice is taken that BIOS instructions cause processor to check and verify that the biometric security sensor is installed and operational is well known in the art. One of ordinary skill in the art would have been motivated to use BIOS in order to check all the functionality of its components are operational before launching the system.

Claim 27: Tello does not specifically disclose biometric sensor security sensor comprises a fingerprint sensor. Heinrich's patent discloses biometric sensor security sensor comprises a fingerprint sensor in (fig.1#120). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor such as fingerprint disclosed in Heinrich system with authentication system taught in Tello because fingerprint scheme has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system such as fingerprint rely on physical characteristics that are unique to each individual and thus can not readily be stolen,copied or otherwise faked.

Claims 28,29: Tello disclose calculating a deactivation code and starting a timer responsive to BIOS instructions in (fig.1 and col.6,lines 24-26,35-36;col.7,lines 58-62). Tello disclose a timer for shutting down processor a predetermined time after being started unless a deactivation code is received in (col.7,lines 58-62;col.14,lines 18-32). Tello does not specifically disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user. Heinrich disclose a biometric security sensor cooperating with processor for causing the deactivation code to be received by timer based upon at least one sensed biometric indicating an authorized user in (fig.1,#120,110 and col.3,lines 41-46;col.4,lines 3-19). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric

security sensor disclosed in Heinrich system with authentication system taught in Tello because biometric has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system rely on physical characteristics that are unique to each individual and thus cannot readily be stolen,copied or otherwise faked.

Claim 30: Official notice is taken that BIOS instructions cause processor to check and verify that the timer is installed and operational is well known in the art. One of ordinary skill in the art would have been motivated to use BIOS in order to check all the functionality of its components are operational before launching the system.

Claim 31: Tello does not specifically disclose biometric sensor security sensor comprises a fingerprint sensor. Heinrich's patent discloses biometric sensor security sensor comprises a fingerprint sensor in (fig.1#120). It would have been obvious to person of ordinary skill in the art at the time invention was made to employ biometric security sensor such as fingerprint disclosed in Heinrich system with authentication system taught in Tello because fingerprint scheme has an advantage of being unique to an individual person,requiring no memorization, and relatively difficult to appropriate thus providing efficient and secure manner to authenticate its users. Further,biometric identification system such as fingerprint rely on physical characteristics that are unique to each individual and thus can not readily be stolen,copied or otherwise faked.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hosuk Song whose telephone number is 703-305-0042. The examiner can normally be reached on Tue-Fri from 6:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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